**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

UNITED STATES OF AMERICA

VERSUS   **CRIMINAL ACTION NO. 1:05CR87**

SHERRY LOUCH, et al

ORDER

This cause is before the Court on the defendant Perry Brook's Motion to Continue Trial Setting [70-1]. The Court, having reviewed the motion and being otherwise fully advised in the premises, finds as follows, to-wit:

The trial of this matter is currently set for February 13, 2006. Counsel for defendant Perry Brooks seeks a continuance in order to complete discovery and to more fully investigate the possibility of a plea agreement with the government. The government does not object to the requested continuance. Based on the foregoing, the Court finds that the defendant's motion is well-taken and should be granted.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. § 3161(h)(8)(A), the period of delay from February 13, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford defendant additional time to investigate and prepare a defenses to the pending charges. Therefore, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendants in a speedy trial.

IT IS, THEREFORE, ORDERED AND ADJUDGED that

1.   The Motion to Continue Trial Setting [70] is GRANTED;

2.   That the trial of this matter is continued as to all defendants until Monday, March 13,

        2006 at 9:00 a.m. in the United States District Courthouse in Greenville, Mississippi;

3.   That the delay from February 13, 2006 until March 13, 2006 is excluded as set out

        above;

4.   That the deadline for filing pretrial motions is February 21, 2006;

5.   That the deadline for submitting a plea agreement is February 27, 2006.

SO ORDERED, this the 31st day of January, 2006.

                                        /s/ W. Allen Pepper, Jr.
                                        W. ALLEN PEPPER, JR.
                                        UNITED STATES DISTRICT JUDGE